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**FACSIMILE**

**TO:** Mail Stop AMENDMENT  
USPTO

**FROM:** Lori F. Cuomo

**FAX NO.:** (571) 273-8300

**RE:** Response to Official Action of September 15, 2006  
Application Serial No. 10/765,028  
RMH Docket 12995

**# of PAGES:** 27 including cover page

**DATE:** September 28, 2006

**MESSAGE:** Filing Response to Official Action of  
September 15, 2006

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PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0851-0031  
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

27

Application Number	10765,028
Filing Date	January 26, 2004
First Named Inventor	Kinzer, Dwight
Art Unit	3637
Examiner Name	A. PHI DIEU TRAN
Attorney Docket Number	12995

**ENCLOSURES** (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Response to Official Action of September 15, 2006		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	ROBERTS, MLOTKOWSKI & HOBBS		
Signature	<i>Lori F. Cuomo</i>		
Printed name	Lori F. Cuomo		
Date	September 28, 2006	Reg. No.	34,527

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature	<i>Annie A. Cave</i>		
Typed or printed name	Annie A. Cave	Date	September 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No. 10/765,028  
Response dated September 28, 2006  
Reply to Office action of September 15, 2006

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/765,028 Confirmation No.: 1317  
Applicant : Dwight Eric Kinzer  
Filed : January 26, 2004  
TC/A.U. : 1725  
Examiner : A. Phi Dieu Tran

Docket No. : Kinzer-001  
Customer No. : 25570  
For : Modular Load Bearing Structural Column

AMENDMENT UNDER 37 C.F.R. §1.111

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

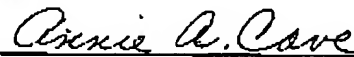
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Annie A. Cave

Typed or printed name of person signing this certificate

  
Signature

This is in response to the Office Action mailed September 15, 2006, which sets a three month shortened statutory period for response until December 15, 2006.

Page 1 of 25

Appl. No. 10/765,028  
Response dated September 28, 2006  
Reply to Office action of September 15, 2006

If any extension of time or fees are required to maintain the pendency of the application, this is an express request for any required extension of time, and authorization to charge any required fee to Deposit Account No. 502478.

Reconsideration and allowance of the application are respectfully requested.

Amendments to the claims begin on page 3 of this paper.

Remarks/Arguments begin on page 19 of this paper.